

## **District II Advisory Board Minutes**

**May 1, 2006**

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The District II Advisory Board meeting was held at 7:00 p.m. at the Rockwell Branch Library, 5939 E. 9<sup>th</sup> Street North. Twelve board members, seven staff and approximately eleven citizens were in attendance. Only those individuals who signed in are listed as guests below.

### **Members Present**

Daryl Crotts  
Sarah Devries  
Larry Frutiger  
Joe Johnson  
David Mollhagen  
Phil Ryan  
Marty Weeks  
Brian Carduff  
Tim Goodpasture  
Matt Hesse  
Dane Saksa\*  
Council Member Sue Schlapp

\*Youth Representatives

### **Members Absent**

Ray Frederick  
Kaci Tucker\*

### **Staff Present**

Sergeant Gallagher, Police Patrol East  
Bill Longnecker, Planning  
Donna Goltry, Planning  
Ryan Adkison, Finance  
Jay Newton, Finance  
Gary Janzen, Public Works  
LaShonda Porter, Neighborhood Assistant

### **Guests**

Listed on the last page

## **ORDER OF BUSINESS**

### **CALL TO ORDER**

The meeting was called to order at 7:01 p.m.

### **APPROVAL OF MINUTES AND AGENDA**

The meeting agenda for May 1, 2006 was approved as submitted (**Goodpastrue:Carduff, 11-0**)

The meeting minutes for April 3, 2006 were approved as submitted (**Frutiger:Devries, 11-0**)

### **PUBLIC AGENDA**

#### **1. Scheduled items**

No items were submitted.

#### **2. Off-agenda items**

No items were submitted.

### **NEW BUSINESS**

#### **3. Community Police Report**

**Officer Colin Gallagher, Patrol East – 399 Beat Coordinator**, requested that the contact list for the DAB II distribution be reviewed to ensure accuracy. He provided the DAB with a copy of the new Community Guide. He advised that the guide is being distributed to residents citywide. Patrol East will be giving the guides to realtors, insurance agents, and landlords to distribute as well.

**Officer Gallagher** also discussed the decentralization of the warrant section. He commented that Deputy Chief Stolz has given them the go ahead to locate individuals with warrants and bring them into court to appear in front of a judge.

In addition to the decentralization of the warrant section, the police have also been working on the “Judge grant.” This is seeking juveniles who are purchasing and/or drinking liquor. They would receive calls from neighbors advising of juveniles consuming liquor at parties and would follow up on the call. During this process, the first weekend of the program they made **14** arrests, and the second weekend they made **6** arrests.

There has also been an increase in residential burglaries. The entries into the homes are typically from the back of the resident. They are targeting homes where the income levels are at 130K or more. They are stealing items such as jewelry, money, DVD’s and collector coins; any item that is easy for them to transport and sale at a pawn shop.

Lastly, there will be a crime prevention meeting held on Tuesday, May 2, 2006. The meeting will be on “ Residential Safety and Security.” The meeting will be held at the Salvation Army Church, located at 1739 S. Elpyco at 6:30 p.m. All are invited to attend.

**Darryl Crotts** asked the officer about 3 squad cars being in his area escorting children to school, wanting to know if this was something that occurred often? **Officer Gallagher** advised that this is becoming an issue; parents are using the police to threaten their children and becoming less involved with the process.

The Board thanked **Officer Gallagher** for his report.

**Action Taken:** Received and filed.

**Darryl Crotts** motioned to move item # 6 before item # 4, due to the number of people there to discuss the zoning case. Motion passed. (**Crotts:Hesse, 11-0**)

#### **4. CON 2006-00012 and ZON 2006-00016**

**Donna Goltry, Planning**, advised the case had already been heard by the MAPC on April 24, 2006, and they recommend approval (**7-4**). In the staff report for the MAPC meeting on April 24, 2006, planning staff recommended deferral of the request. The principle reason for the deferral recommendation by staff was to obtain revisions to the site plan for compliance with conditions of Article III, Section III-D.6.y of the Unified Zoning Code and review architectural elevations for compatibility with nearby residential use prior to making a formal recommendation.

**Donna Goltry**, suggested that the DAB members look at the findings listed in staff report to help make the recommendation for the case. The findings listed in the staff report are as follows:

1. The zoning, uses and character of the neighborhood: The property to the south and west of the site is zoned SF-5 and in residential use. Farther west on Central (one-eighth mile), a node of “GO” General Office zoning flanks Jackson Heights Street, developed with a real estate office and a hotel. A small lake connects to the properties along the west side of Garnett and south of Central. The property to the north and northwest were approved subject to platting for commercial and office use in 2001, but the property was never platted. Subsequently, the northwest tract was platted for SF-5 residential use (Crestlake Addition). A convenience store on property zoned LC is located to the northeast. The property to the east is zoned LC and partially developed as Crestview Plaza (DP-247 127<sup>th</sup> Retail Center) with a bank at the corner of 127<sup>th</sup> Street East and Central and with a small strip center with local retail types of uses. Approximately one-half of the CUP currently is vacant.
2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned SF-5 Single-family Residential and could be developed with more intensive residential use by platting of the property.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The potential impact is to the surrounding residential uses. Introduction of LC zoning and uses on the west side of Garnett would represent a change from in the current use of the area as large lot residential use. GO zoning of the warehouse, self-service storage, could help mitigate this impact. GO is a commercial zoning district that allows uses more in character with close proximity to residential use and is what is on the tract one-eighth mile to the west along Jackson Heights Street. Another way to mitigate the impact would be to increase the width of landscape buffers, avoid doorways to storage areas opening directly onto Garnett Avenue since this street serves as the gateway to the residential area to the south, and southwest, limit heights of lighting (including poles, fixtures and base) to lower levels to avoid light spillage, and limit the intensity of commercial uses on the 0.75 acre commercial parcel at the corner of Garnett and Central to avoid the uses prohibited already by the CUP to the east and to eliminate auto-related uses and drive-in and drive-through restaurant uses that have more impact than office or general retail types of commercial uses on nearby residential development.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The “2030 Wichita Functional Land Use Guide”, 2005 amendments to the *Wichita-Sedgwick County Comprehensive Plan* identifies the site as “urban residential”. The proposed CUP is not in conformance with this designation.
5. Impact of the proposed development on community facilities: The warehouse, self-service storage use would generate relatively low volumes of additional traffic. The volume generated by the other commercial parcel could perhaps exceed the mini-storage warehouse site.

She also advised that the applicant offered a protective overlay with use restrictions for the out parcel and access control. The applicant also requested a reduction in the landscape buffer for the warehouse, self-storage site, from 15 feet to 10 feet along the west and south property line and offered to double the landscape buffer to compensate for this reduction.

**Donna Goltry**, then opened the floor to questions. At that time board member **David Mollhagen**, withdrew himself from the conversation and voting on this item, as he worked for a company that posed a conflict of interest.

**Joe Johnson**, asked the applicant **Bill Ard** did he agree with everything that **Donna Goltry** presented and **Bill Ard** was in agreement with everything but signage. He understood that he could have signage of 50 square feet.

**Bill Ard**, 601 Powell, provided pictures of the facilities that he has built to demonstrate how his properties blended in residential areas. He explained that the facilities are designed to be buffers between commercial areas and arterial streets. He described the storage facilities would have 50% climate control, heated and air conditioning, one entrance, operated by a computerized gate.

**Joe Johnson**, asked **Bill** to explain what he meant by climate control? **Bill**, responded that the storage units are all internal, an enclosed space that will be heated and have air conditioning; like a building inside of a building.

**Bill**, also advised that he owns about 60 facilities nationally and 8 in Wichita, and that he establishes these facilities to keep not to sell. He intends for the facilities to be around for his children to one day take over.

Citizens were present and spoke in opposition to the request. Protest receive to date are approximately 46 percent of the legal protest area plus other surrounding protests not falling within the 200-foot legal protest boundary.

**Bob Kaplan, 430 N. Marketplace**, was asked by some of the citizens of the area to review the site. He discussed how the area has developed over the last 6-7 years; however, single family residential is the main focus of the area. He indicated that the area is emerging with high value single-residential homes that the citizens have committed too. He feels that **Mr. Bill Ard** is not committed to the area and that his business would be a luxury and not an amenity to the community. Mr. Kaplan advised that he is willing to meet with Mr. Ard to discuss his plans, but thinks that any use of the land that might change the direction of the area, is inappropriate.

**Matt Dillan, 12111 E. Central Avenue**, General Manager of Crest Hill Suites believes that the warehouse would bring down their value. He feels that the hotel looks like the residential homes, and because it is an extended stay hotel it does not pose the same fears. The people that stay at the Crest Hill Suites stay on average for 12-14 days at a time, and some have stayed for years, the longest period being a 2-year stay.

**Tim Buchannan, 7309 E. 21<sup>st</sup>**, owner of Crest Lake development, located directly across the street from Crest Hill Suites. He is concerned with the perception that the facility will give to the community. Will this storage facility bring more crime in the area and what is going to be built next door to the facility, if the zoning is approved? His other concern is with the buffering, is this going to be a burden to the homeowner's since the buffer is being reduced? He is also concerned that his investment for his new development \$250K – 400K may be at risk, and he will not be able to sell his homes due to the storage facility being in the community.

**Sherre Proctor, 325 & 329 Garnett**, owns the properties at this location and is in favor of the storage facility. She feels there is a need in the community for the facility. She thinks that something commercial will eventually be built on the property, and based on Mr. Bill Ard's track record his facility would be suitable.

**Wayne Foster, 644 Burdall**, welcomes the project. He has visited all the sites in the City of Wichita and has found that the facilities are well maintained, they are not missing any maintenance, the buffers look great and the area is policed. He also stated that the people who are in opposition of the facility have also offered there property for sale to commercial development; so he is not sure why the big opposition.

**K'Lyn Schussler, 11083 SW 50<sup>th</sup>**, speaking on behalf of her brother Michael Schuesser. They feel that the facility would be detrimental to the value of their property. If approved, would like restrictions placed on the facility to ensure that the buffer is adequate and does not become the responsibility of the homeowners.

**Todd Parker, 5604 Coe Drive**, feels it will hurt the value of the property.

**Bonnie Ernst, 12317 E. Central**, advised that she did some research and found approximately 50-75 facilities listed in the phone book, and they are mostly located in industrial areas. She also stated that she has been living in the area for about 10 years and does not want the direction of the community to change. She feels that this facility could lead the area into industrial building, which would negatively impact the sense of security. She also does not feel that there is a need for the facility, she indicated that most of homes have storage space so this would not be an amenity for the community.

**Darryl Crotts**, opposes the zoning change. He also feels that this is the same situation as the car wash zoning case heard last month.

**Dane Saska**, wanted to know if the applicant would consider changing the buffer back to the original requirements. **Bill Ard** indicated that increasing the buffer would affect his entire site plan, and that is why he agreed to double the landscaping with the buffer size being at 10ft.

**Tim Goodpasture**, wanted to know the zoning for the west of the land. **Donna Goltry**, advised that it was zoned as GO (general office) with a protective overlay. He also wanted to know since the building of Crest Hill Suites and the Strip Mall have property values decreased? A citizen responded with uncertainty stating that it's a matter of perception.

**Sarah Devries**, does anyone have any crime statistics that would support the concerns of the community? **Bill Ard**, advised that he did not have them on hand, but could assure her that crime has not gone up in areas where his facilities are currently located. He also agreed that if they wanted to pull the records they could verify this information is accurate.

**CM Schlapp**, wanted to know if the same concerns came up when Crest Hill Suites were built? **Bonnie Ernst**, responded that they did.

**Action Taken:** Deferred to the next DAB meeting, pending the completion of the site plan and discussion of the buffer size. Motion passed (**Carduff:Frutiger, 11-0**)

## **5. Greenwich Road Improvement**

**Gary Janzen, Public Works**, presented information about Greenwich Road Improvement program adopted by the City Council, to improve the road between 26<sup>th</sup> St. North and 29<sup>th</sup> St. North. The project has a construction budget allocation of \$1,500,000; funded by \$300,000 City GO Bonds and \$1,200,000 Federal Funds. The project is scheduled to begin late 2006, with an estimated 4-month construction period, estimating completion Spring 2007.

The project will consist of:

- Asphalt widening to four through lanes on Greenwich, with a continuous center two-way left turn lane
- The intersection at 29th Street will be concrete, with brick crosswalks, and left turn lanes at all four approaches

- A new storm sewer system will be constructed to improve drainage
- Sidewalk will be constructed on both sides

**Action Taken:** The Board recommended approval. (**Frutiger:Mollhagen 11- 0**)

## 6. CON 2006-00015

**Bill Longnecker, Planning**, presented a request for a conditional use permit to allow an accessory apartment. Generally located south of Douglas Avenue, west of Oliver Avenue, and southwest of the Lewis – Crestway Streets intersection.

The applicant is requesting a Conditional Use to allow an accessory apartment on the 0.25-acre platted subject site (Lots 35 & 36, Block B, Merriman Park Place Addition) zoned “SF-5” Single-family Residential and located at 419 South Crestway. The applicant proposes to use the second story of the proposed detached garage as an 882-sqaure foot accessory apartment. The applicant has stated that visiting parents and in-laws will use the apartment. The primary residence is a two-story, 2,250-sqaure foot structure, with primarily brick and some lap siding.

Based upon information available prior to the public hearing, Staff recommends that the request be APPROVED, subject to the following conditions:

1. The accessory apartment shall be subject to all requirements of Section III-D.6.a. of the Unified Zoning Code.
2. The applicant shall obtain all applicable permits, including but not limited to: building, health, and zoning.
3. The site shall be developed in general conformance with the approved site plan. The applicant shall also provide a revised site plan within 60 days of approval of the Conditional Use, which will confirm the location of any utility easements and provide more dimension control, showing the location of the detached garage/accessory apartment in reference to all property lines setbacks and its proximity to the primary residence. The site plan will also show on site parking for the accessory apartment.
4. Within 60 days of approval of the Conditional Use, the applicant shall submit for approval by the Planning Director an elevation drawing that provides for a facade that incorporates features from the primary structure.
5. Construction of improvements shall be completed within one year of approval of the Conditional Use.
6. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

**Action Taken:** Accept the staff recommendation to approve the zoning change.  
(**Mollhagen:Hesse 11 – 0**)

## 7. Update on Budgetary Process for 2007 Budget

**Ryan Adkison, Finance**, presented information on how The City of Wichita is transforming the budget process. The new process is designed to make the implications of budgetary decisions more understandable to policymakers and citizens alike. The 2007 budget will be prepared under a process entitled “Managing for Results.” On March 7, 2006, the City Council approved five board goal areas regarding what is important for our community. These are:

1. Safe and Secure Community
2. Economic Vitality and Affordable Living
3. Efficient Infrastructure
4. Quality of Life
5. Core Area & Neighborhoods

Using this model, the City budget can be allocated to goal areas based on broad City Council priorities, then strategies and service plans will be developed on how best to achieve results in each goal area, then funding allocation can be made based on which results (or services) matter the most.

The DAB members would like to see statistics on how this impacts District II, Ryan will review and provide any statistics he is able to compile.

The DAB also wanted to know if there were citizens involved in this process? **Ryan** advised that currently citizen participation would be through the DAB, but they are using citizen surveys to help identify their needs/concerns. They will also try to identify ways in the future to have citizens more involved in the process.

The Board thanked **Ryan Adikson** for his report.

**Action Taken:** Receive and file.

## **BOARD AGENDA**

### **8. Updates, Issues, and Reports**

- District II Breakfast will be held Saturday, May 6, 2006 at 9:00 a.m. at Spears Restaurant and Pie Shop, 1930 N Woodlawn
- CM Schlapp will also like to find a new venue to hold the breakfast so that we can reserve a meeting room for the breakfast.
- **CM Schlapp** will host the DAB members to the Wranglers game on Sunday, June 25, 2006 at 4:00 p.m. **LaShonda Porter** will send an e-mail invitation with the details and for a head count.
- **Marty Weeks** advised that when construction was done at the Bonnie Brae sight, the fence was not put back into place. **LaShonda Porter** will follow up with the City officials to get this corrected.
- **Ray Frederick**, has decided to withdraw from the DAB. CM Schlapp will begin to look for a replacement, but has requested that if we know of anyone to nominate him or her for selection as well.

With no further business, the meeting adjourned at 9:45 p.m.

The next DAB II meeting will be June 5, 2006 at the Rockwell Branch Library.

Respectfully Submitted,

LaShonda Porter, Neighborhood Assistant

Guests

Bob Kaplan	430 N. Market
Sandie Potter	227 Garnett
Kenny Potter	231 Garnett
Bonnie Ernst	12317 E. Central
Tim Buchannan	2309 E. 21 <sup>st</sup>
Todd Parker	5604 Coe Dr.
Matt Dolan	12111 E. Central Avenue
Jim & Gana Braun	245 Garnett
Kathy Smallwood	225 Garnett
K'Lyn Schuessler	12431 E. Central
Sheri (Rosile) Proctor	325 & 329 Garnett